

AMENDED IN ASSEMBLY AUGUST 28, 2000

AMENDED IN ASSEMBLY AUGUST 7, 2000

AMENDED IN ASSEMBLY JUNE 15, 2000

AMENDED IN SENATE APRIL 5, 2000

SENATE BILL

No. 1778

Introduced by Senator Johnston

February 23, 2000

An act to amend Section 2 of Chapter 784 of the Statutes of 1997, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1778, as amended, Johnston. State property: surplus.

(1) Existing law requires each state agency, on or before December 31 of each year, to make a review of all proprietary state lands, with specified exceptions, over which it has jurisdiction, to determine what, if any, land is in excess of its foreseeable needs and report thereon in writing to the Department of General Services. Existing law transfers to the department jurisdiction of all land reported as excess. Existing law requires the department, when authority to sell or otherwise dispose of lands declared excess is granted, to sell the land or otherwise dispose of the property pursuant to the authorization, upon any terms and conditions and subject to any reservations and exemptions as the department may deem to be for the best interests of the state.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell,

exchange, lease, or transfer for current market value *or for any lesser consideration authorized by law*, a specified ~~parcel~~ *parcels* in Solano County *and in San Bernardino County*, and to convey for less than fair market value a specified parcel in Sonoma County. The bill would exempt any sale, exchange, lease or transfer of property described by this bill from the California Environmental Quality Act and would except and reserve to the state specified mineral rights.

(2) Existing law authorizes the director, with approval of the State Public Works Board, to sell, exchange, lease, or transfer for current market value or lesser consideration specified parcels in Fresno, Los Angeles, and Santa Clara Counties.

This bill would delete the authority to dispose of that parcel in Los Angeles County.

(3) Existing law authorizes the Director of General Services to enter into negotiations with the City of Concord on behalf of the Military Department for the exchange of real property based on current market value.

This bill would authorize the Director of General Services, in consultation with the Military Department, to convey to Plumas County certain real property for public recreational use only at no cost, except to reimburse the Department of General Services for costs related to the transfer. It would also authorize the director, in consultation with the Military Department, to convey to Plumas County real property currently being used by Plumas County as a waste disposal transfer site at no cost, except to reimburse the Department of General Services for costs related to the transfer.

(4) This bill would also authorize the Director of Parks and Recreation, with approval of the Director of General Services, ~~an~~ *to* exchange ~~of~~ real property at the Ahjumawi Lava Springs State Park with the Pacific Gas and Electric Company for real property of equal or greater value.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. The Director of General Services, with the approval of the State Public Works Board, may sell, exchange, lease, or transfer for current market value, *or for any lesser consideration authorized by law, and upon terms and conditions and subject to reservations and exceptions that the director determines are in the best interest of the state*, all or any part of the following property:

~~Approximately~~

Parcel 1. Approximately a 49.14 acre irregularly shaped property (APN 048-010-210), under the jurisdiction of the State Department of Health Services, located at 6250 Lambie Road, Solano County.

Parcel 2. Approximately 350 acres of real property in San Bernardino County, identified by the Strategic Master Land Use Plan and Implementation Approach CIM Chino, and being located south of Edison Avenue, west of Euclid Avenue, and northerly of real property to be leased by the state to the City of Chino pursuant to subdivision (a) of Section 14672.14 of the Government Code, which was added by Chapter 500 of the Statutes of 1998.

SEC. 2. The Director of General Services may convey for less than fair market value, to the County of Sonoma, upon terms and conditions and subject to reservations and exceptions that the director determines are in the best interest of the state, all or any part of the following real property:

Approximately a 2.64 acre parcel (APN 050-261-83) known as Alder Park, located in the community of Kenwood, Sonoma County.

SEC. 3. (a) Notices of every public auction or bid opening shall be posted on the property to be sold under this act and shall be published in a newspaper of general circulation published in the county in which the real property to be sold is situated.

(b) Any sale, exchange, lease, or transfer of the parcels described in this act is exempt from Division 13

1 (commencing with Section 21100) of the Public
2 Resources Code.

3 SEC. 4. The Department of General Services shall be
4 reimbursed for any cost or expense incurred in the
5 disposition of any parcels.

6 SEC. 5. As to any property sold pursuant to this act
7 consisting of 15 acres or less, the Director of General
8 Services shall except and reserve to the state all mineral
9 deposits, as defined in Section 6407 of the Public
10 Resources Code, below a depth of 500 feet, without
11 surface rights of entry. As to property sold pursuant to this
12 act consisting of more than 15 acres, the Director of
13 General Services shall except and reserve to the state all
14 mineral deposits, as defined in Section 6407 of the Public
15 Resources Code, together with the right to prospect for,
16 mine, and remove the deposits. The rights to prospect for,
17 mine, and remove the deposits shall be limited to those
18 areas of the property conveyed that the director, after
19 consultation with the State Lands Commission,
20 determines to be reasonably necessary for the removal of
21 the deposits.

22 SEC. 6. Section 2 of Chapter 784 of the Statutes of 1997
23 is amended to read:

24 Sec. 2. The Director of General Services, with the
25 approval of the State Public Works Board, may sell,
26 exchange, lease, or transfer for current market value or
27 for any lesser consideration authorized by law and upon
28 those terms and conditions and subject to those
29 reservations and exceptions as the Director of General
30 Services determines are in the best interest of the state,
31 all or any part of the following real property:

32 Parcel 1. Approximately 1.37 acres, with structures
33 used as offices by the State Department of Health
34 Services, located at 5545 East Shields Avenue, Fresno,
35 Fresno County.

36 ~~Parcel 3.—~~

37 ~~Approximately~~

38 *Parcel 3. Approximately* 6.4 acres of vacant land,
39 being a portion of Agnews Developmental Center, West

1 Campus, located at the northeast corner of Montague
2 Expressway and Lick Mill Boulevard, Santa Clara County.

3 Parcel 4. Approximately 21 acres of vacant land, being
4 a portion of the Agnews Developmental Center, West
5 Campus, located on the east side of Lick Mill Boulevard,
6 Santa Clara County.

7 Parcel 5. Approximately 0.76 acre of vacant land
8 identified as Lot 15, Havenhurst Drive, Encino, Los
9 Angeles County.

10 SEC. 7. Notwithstanding any other provision of law,
11 including, but not limited to, Article 1 (commencing with
12 Section 11000) of Chapter 1 of Part 1 of Division 3 of Title
13 2 of, and Article 8 (commencing with Section 54220) of
14 Chapter 5 of Part 1 of Division 2 of Title 5 of the
15 Government Code, the Director of General Services, in
16 consultation with the California Military Department,
17 may convey to Plumas County approximately 2.4 acres of
18 real property being a portion of the Quincy Armory in
19 Plumas County for public recreational use only, and at no
20 cost, except as provided in this section, upon those terms
21 and conditions and subject to those reservations and
22 exceptions as the Director of General Services
23 determines are in the best interest of the state. The deed
24 shall indicate that, when the property is no longer utilized
25 by Plumas County for public recreation purposes, title to
26 the real property shall vest in the state. This transfer from
27 the state to the county shall be on the express condition
28 that the property is transferred in its “as is” condition and
29 the state is to be held harmless from any claims or
30 liabilities associated with the property and its condition.
31 The Department of General Services shall be reimbursed
32 by Plumas County only for its costs related to the transfer,
33 including, but not limited to, any survey costs, title
34 transfer fees, and department staff time.

35 SEC. 8. Notwithstanding any other provision of law,
36 including, but not limited to, Article 1 (commencing with
37 Section 11000) of Chapter 1 of Part 1 of Division 3 of Title
38 2 of, and Article 8 (commencing with Section 54220) of
39 Chapter 5 of Part 1 of Division 2 of Title 5 of the
40 Government Code, the Director of General Services, in

1 consultation with the California Military Department,
2 may convey, at no cost, except as provided in this section,
3 to the County of Plumas approximately 1.22 acres of real
4 property being a portion of the Quincy Armory in Plumas
5 County currently being used by Plumas County for a
6 waste disposal transfer site, to Plumas County on the
7 terms and conditions and subject to the reservations and
8 exceptions that may be in the best interest of the state.
9 The Department of General Services shall be reimbursed
10 by Plumas County only for its costs related to the transfer,
11 including, but not limited to, any survey costs, title
12 transfer fees, and department staff time.

13 SEC. 9. The Director of Parks and Recreation, with
14 the approval of the Director of General Services, may
15 exchange real property of approximately 580 acres at
16 Ahjumawi Lava Springs State Park in Shasta County with
17 Pacific Gas and Electric Company for real property of
18 equal or greater value, on the terms and conditions and
19 subject to the reservations and exceptions that may be in
20 the best interest of the state.

